

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
TAMPA DIVISION**

ANTHONY V. DISTEFANO,

Plaintiff,

v.

Case No. 8:21-cv-2529-TPB-SPF

MARTHA J. COOK, et. al,

Defendants.

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ORDER DISMISSING CASE

This matter is before the Court *sua sponte*. Plaintiff filed a Complaint on October 28, 2021 attempting to sue four judges involved in his dissolution of marriage proceedings in the Florida state courts.

Plaintiff has previously raised identical claims against these Defendants and others. On October 24, 2019, Judge James S. Moody dismissed a case filed by Plaintiff after concluding that the case was patently frivolous, and any amendment would be futile. *See DiStefano v. Diaz*, 8:19-cv-2331-JSM-AEP (M.D. Fla. Oct. 24, 2019). The Court adopts this reasoning and analysis. As Judge Moody explained, to the extent Plaintiff seeks review of a state court judgment, the Court lacks jurisdiction over such claims under the *Rooker-Feldman* doctrine. *See, e.g., D.C. Court of Appeals v. Feldman*, 460 U.S. 462 (1983); *Incorvaia v. Incorvaia*, 154 F. App'x 127, 128 (11th Cir. 2005) (extending jurisdictional bar to claims that are “inextricably intertwined” with a state court judgment). Judge Moody also explained that Plaintiff's § 1983 claims against the judges for damages were barred

by judicial immunity. *See, e.g., Simmons v. Conger*, 86 F.3d 1080, 1085 (11th Cir. 1996). This case is therefore dismissed.

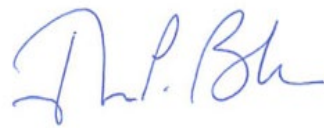
Plaintiff is warned that if he continues to file frivolous cases here or in any other courts, he may be subject to sanctions pursuant to Federal Rule of Civil Procedure 11(c), including monetary sanctions or injunctive relief directing the Clerk to not accept future filings by Plaintiff without first obtaining prior leave of the Court.

Accordingly, it is

ORDERED, ADJUDGED, and DECREED:

- 1) This case is **DISMISSED**.
- 2) The Clerk is directed to terminate any pending motions and deadlines, and thereafter close this case.

DONE and ORDERED in Chambers in Tampa, Florida, on this 18th day of November, 2021.



TOM BARBER
UNITED STATES DISTRICT JUDGE